Range Administration Training for the for Tushar Collaborative Group
January 2009

1) Allocation of permits
   a) History of how permits were allocated – typically the agency embraced the individuals grazing at the time of Forest creation who met the landownership and livestock ownership requirements.
   b) Process for new permits
      i) Existing permittee waives a permit back to the Forest Service and identifies preference to an individual who purchased livestock or land associated with the previous permit or the base property associated with the permit. Purchaser (preferred applicant) applies for the waived permit.
      ii) Agency typically re-issues a new permit with the numbers and season of use of the old permit. (Because the numbers and season are at the agency discretion and we can change then any time with reason.)
      iii) If permit becomes available (due to cancellation for non-compliance as one example) or there is no identified preference (which is highly unlikely) we may re-issue a new permit based on the following priorities(FSH 2209.13 sec13.22):

         1. To existing permittees on the allotment for their proportionate share of any increased grazing capacity resulting from range improvement or development programs to which they have contributed.

         2. To existing permittees on the allotment for reductions they sustained during the previous ten years that resulted in the improvement of rangeland resource conditions.

         3. To permittees on other Forest Service-administered allotments.

         4. To new applicants who are eligible and qualified.

2) Parts of the grazing permit.
   a) Part 1 – Identifies the permittee, the allotment, the number, kind, and class of livestock, period of use.
   b) Part 2 – Agency wide standard clauses: Billing procedures, Ownership requirement, general range and livestock management (for example - only livestock marked by the permit holder is allowed to graze, permittee will maintain improvements, agency can require livestock removal to prevent resource damage.)

c) Part 3 – Special terms and conditions. Allotment Management Plan, assigned facilities maintenance, etc.

3) Use of permits
   a) Must stock the permit the first year permit is issued to validate it. Must graze 90% of the capacity each year unless non-use is approved.
   b) Non-use for personal convenience for no more than 3 consecutive years and not more than four years in any ten year period. Non-use must be approved by District Ranger each year before the start of the grazing season.
   c) Non-use for resource protection is at agency discretion and may be for a longer period of time.
   d) Follow the permit. In most cases the permit also incorporates the Allotment Management Plan (AMP) by reference, in part 3.
   e) Complete assigned improvement maintenance. Permit holder is also responsible to replace improvements at their expense if required. The agency does not assume an improvement will reach a useful lifespan and then be replaced by the Forest Service. Our policy is the FS will assist in the new construction and then permit holder will insure improvement remains useful as long as it is needed at that location.
   f) Follow Annual Operating Instructions (AOI). The AOI (from AMP guidance) provides the pasture rotation schedule and typically requires that livestock are only allowed in one pasture at any given time.

4) Permit Administration:
   a) Permittees responsibility is to follow the AOI and AMP, and terms and conditions of permit. There is a wide range of responsibilities from insuring livestock are only on the Forest when they are authorized, (on and off dates), are only in the specified pasture at the time specified, and the improvement maintenance is adequately performed to standard each year. In addition to these operational requirements, the permit holder must maintain the basic qualifications to hold a permit, which is he must own the base property and livestock identified in the permit; insure the annual bill for collection is paid in full before livestock enter the forest, and livestock are tagged or marked as required by the Ranger. The permit may NOT be leased to another party.

   b) Administrative actions if permittee responsibility is not met.

i) Give notice to the permittees to correct the situation. Now called Notice of Noncompliance (NONC). The notice will describe the exact items not in compliance; allow for the permit holder to correct or cure the items; and detail any subsequent action that may be taken if items not corrected. The administrative action may range from one year partial suspension of livestock numbers to total cancellation of the permit.
ii) Take action only after permittees have had a chance to correct the problem. In the event the permit holder does not correct the items identified in the NONC the Ranger may go forward with administrative action. The permit holder is notified of the action in writing, given an opportunity to discuss the action with the ranger, and also may appeal the action to the Forest Supervisor. The appeal may include mediation if requested.
iii) Some serious actions may immediately go forward to full suspension or cancellation. If the permit holder is caught leasing out the permit to another party, turning out livestock without paying the bill for collections, repeated NONC have been issued, refusal to follow the AMP or permit terms and conditions.

5) Allotment Decision making and management goals
   a) Perfect world
      i) NEPA decision that sets clear measurable objectives for resource conditions. The objectives are tied to a desired future condition specifically including resources affected by grazing. The obvious examples include riparian communities, aspen communities, upland rangelands. Specific monitoring techniques and locations may be identified in the EA or EIS that provide a direct link between impacts grazing may have on the resource, back to the objectives for the resource (the desired future condition.)
         (1) Public involvement is used to identify and build objectives through the NEPA analysis (EA or EIS).
            (a) Examples of a description of desired future conditions may be: a) A full range of aspen sucker heights are present in at least 75% of the aspen stands that have less than 15% canopy coverage of conifers. b) At least 50% soil cover from litter or vegetation at the end of the grazing season.
            (b) Examples of objectives that when met may lead toward the desired future condition: a) rest during the active growing season 1 out of 4 years, or b) seed production 1

out of 3 years, or e) stream bank alteration at the end of the grazing season does not exceed 30%.

(2) Public involvement is also a good place to identify alternative grazing practices or creative solutions.

(3) NEPA is not the place to debate the difference between a 2 or 4 pasture rest rotation system.

ii) Allotment Mangement Plans (AMP) - AMPs provide general allotment management, with general rotation system, utilization levels, specific monitoring objectives, specific monitoring locations, monitoring schedule, and schedule of improvements if any. Typically prepared by taking specifics directly from the NEPA document and is made part of (part 3) of the grazing permit.

iii) Annual Operating Instructions (AOI) – The AOI is the specific plan for this grazing season. Prepared by the Agency by taking specifics directly from the AMP, making adjustments to the grazing system based on last season's monitoring, last season's permittee performance/compliance, and consultation with the permittees on feasibility, and is made part of the permit (part 3). Compliance with the AOI has been an issue for Pinecreek and Tenmile Grazing Allotments.

b) Some not so perfect world situations

i) T he allotment NEPA decision and documentation is dated and not what we would like. Typically either the decision is too vague, or so specific that it is difficult to implement or have experienced a changed condition (like building I-70 through the middle of the allotment). These older decisions may not have done a good job describing the objectives for the natural resource conditions.

(1) For example an old NEPA decision may state implement a four pasture rest rotation system. Due to terrain this may be infeasible. Or perhaps through monitoring we have learned a 5 pasture deferred rotation may be better system. Since the specific grazing system was identified in the decision we would need to do a new analysis and make a new decision. (If the old decision would have been focused on resource objectives we could adjust the grazing system, based on monitoring, to reach the objectives.)

ii) AMP – same as above.

iii) AOI – same as above.